

Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 USIE-00 AID-05 FAA-00 DOTE-00 AGR-05

FBO-02 A-01 SSO-00 CIAE-00 INR-07 NSAE-00 INRE-00 L-03

PC-01 SS-15 NSC-05 NSCE-00 SP-02 VO-03 SCA-01 /057 W

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O 151211Z JUN 75 ZFF-4

FM AMEMBASSY LAGOS

TO SECSTATE WASHDC NIACT IMMEDIATE 9747

C O N F I D E N T I A L SECTION 1 OF 2 LAGOS 5582

PASS USIS, AID, FAA, FAS

E.O. 11652: GDS

TAGS: AFSP, PFOR, NI

SUBJECT: FMG TELLS US VACATE EMBASSY ANNEX

REF: LAGOS 5468, 4847, 3602, 3202, 3200;

STATE 95820, 79666;

LAGOS 9856 DEC 11, 1973;

LAGOS 9095 NOV 13, 1973.

1. SUMMARY: FMG WORKS AND HOUSING COMMISSIONER, BRIGADIER OBASANJO, INFORMED US JUNE 14 THAT EMBASSY ANNEX MUST BE VACATED IN ONE WEEK. FMG COULD NOT PERMIT CONTINUED DILATORY TACTICS, ESPECIALLY IN VIEW FACT IT OFFERING US SUBSTITUTE SPACE. DCM AND I SAID WE HAD NEVER RECEIVED WRITTEN COMMUNICATION ON THIS MATTER FROM MEA, WERE STILL AWAITING MEA RESPONSE TO OUR REQUEST INSPECT PROPOSED ALTERNATIVE QUARTERS, AND HAD NO REPEAT NO FUNDS TO FINANCE SUCH MOVE. OBASANJO WAS UNCOMPROMISING. HE SAID FMG COULD NOT REPEAT NOT PROVIDE FUNDS, AND EMBASSY WOULD HAVE TO DEAL DIRECTLY WITH ANNEX LANDLORD ON QUESTION POSSIBLE REIMBURSEMENT FOR REMAINING EIGHTEEN MONTHS OF PREPAID LEASE. MEA PARTICIPANTS IN MEETING REJECTED DCM'S SUGGESTION THAT VIENNA CONVENTION PROTECTED US FROM SUCH ARBITRARY ACTION. WE WILL INSPECT PROPOSED NEW QUARTERS MONDAY AFTERNOON JUNE 16, AND HAVE BEEN ASKED BY OBASANJO TO MEET AGAIN WITH MEA AND

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WORKS/HOUSING STAFF JUNE 18 TO REPORT ON HOW WE INTEND TO

COMPLY WITH FMG DEMAND. END SUMMARY.

2. IN RETURNED FROM TWO-DAY VISIT IBADAN JUNE 13 TO FIND THAT MEA HAS SCHEDULED MEETING FOR ME NEXT MORNING WITH WORKS AND HOUSING COMMISSIONER BRIGADIER OBASANJO TO DISCUSS FMG'S REQUEST THAT WE VACATE EMBASSY ANNEX PROPERTY AT 1/3 MOLONEY STREET. AS DEPARTMENT AWARE, WE HAVE NINE STORIES OF THIS TEN-STORY BUILDING. IT HOUSES 54 AMERICANS AND 107 NIGERIANS WORKING FOR AID, USIS, PEACE CORPS, FAA, FAS, AND THE EMBASSY HEALTH UNIT AND CONSULAR SECTION.

3. DCM CROSBY ACCOMPANIED ME IN JUNE 14 MEETING. OBASANJO WAS JOINED BY HIS PERMSEC IGE AND MEA REPRESENTATIVES MGBOKWERE (PROTOCOL) AND SAGAY (PRIVATE SECY TO MEA PERMSEC IYALLA).

4. OBASANJO BRIEFLY REVIEWED THE HISTORY OF WHAT HE TERMED FMG'S "LONG-STANDING" DESIRE TO ACQUIRE THIS BUILDING, STATING IT WAS IDEAL FOR FMG PURPOSES AND CLAIMING THAT AS FAR BACK AS APRIL 1973 FMG HAD MADE "ABUNDANTLY CLEAR" TO AMBASSADOR REINHARDT THAT FMG NEEDED THIS SPACE AND THAT IT WAS FMG'S "INTENTION" TO ACQUIRE IT. HE REMINDED US THAT TWO MONTHS AGO FMG HAD OFFICIALLY INFORMED US THAT IT HAD TAKEN OVER THE BUILDING AND WE WERE TO VACATE IT. HE REPEATED SOME OF THE SAME LINE FOLLOWED BY MEA PERMSEC IYALLA IN HIS CONVERSATION WITH ME JUNE 10 (LAGOS 5468), STATING THAT FMG HAD TAKEN THE "UNUSUAL STEP" OF FINDING AND OFFERING US ALTERNATE QUARTERS AT 10 OKOTIE EBOH ROAD ON IKOYI ISLAND, NOW OCCUPIED BY MINISTRY OF EDUCATION PERSONNEL. FMG NEED FOR EMBASSY ANNEX BUILDING WAS CRITICAL AND URGENT. HE COULD NOT UNDERSTAND WHY WE HAD NOT YET TAKEN EFFECTIVE STEPS TO CONFORM WITH FMG'S INSTRUCTIONS. HE SAID THAT OUR WILLINGNESS TO VACATE "AS SOON AS POSSIBLE" WAS NOT GOOD ENOUGH FOR HIM. AS A MILITARY MAN HE DID NOT UNDERSTAND "WHAT SUCH DIPLOMATIC PHRASES MEAN." HE THEREFORE HAD NO ALTERNATIVE BUT TO INSIST THAT A DEADLINE OF ONE WEEK BE PLACED UPON OUR MOVE FROM PRESENT QUARTERS. HE SAID PRESENT OCCUPANTS OF PROPOSED NEW SPACE COULD VACATE IN 24 HOURS.

5. I RESPONDED ALONG LINES SIMILAR TO WHAT I HAD TOLD IYALLA, STATING THAT WE ACCEPTED FMG DECISION IN PRINCIPLE AND WOULD ENDEAVOR ACCOMPLISH THE MOVE IN AS PROMPT AND EFFICIENT MANNER
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AS POSSIBLE. AT THE SAME TIME, I WANTED TO ASSURE THAT COMMISSIONER UNDERSTOOD CLEARLY THE PROBLEMS THAT THIS DECISION PRESENTED FOR US. MORE THAN 150 EMPLOYEES WERE INVOLVED, TWO-THIRDS OF THEM NIGERIANS. CONSULAR SECTION ALONE RECEIVED HUNDREDS OF VISITORS EVERY WEEK, ISSUED SOME SIX THOUSAND VISAS A YEAR, AND PROVIDED WIDE VARIETY OTHER SERVICES TO NATIONALS OF ALL COUNTRIES BUT PARTICULARLY NIGERIANS. WORK OF THIS SECTION HAD BEEN RECENTLY REORGANIZED IN ORDER ACCOMMODATE

STEADILY INCREASING WORKLOADS, AND CERTAIN ARRANGEMENTS OF PHYSICAL SPACE WERE CRITICAL IN PERMITTING CONTINUATION THIS HIGH LEVEL OF PERFORMANCE. I SAID I KNEW NEITHER OF US WOULD WISH SEE RETURN TO DAYS OF LONG LINES OF VISA SEEKERS IN THE CORRIDORS. I HAD NOT YET INSPECTED PROPOSED NEW SPACE, BUT I COULD ONLY ASSUME THAT FROM VIEWPOINT OF CONSULAR SECTION RESPONSIBILITIES ALONE, CONSIDERABLE MODIFICATION OF NEW QUARTERS, IF NOT ACTUAL NEW CONSTRUCTION, WOULD BE ESSENTIAL. I SAID WE HAD NO REPEAT NO FUNDS TO COVER MOVING EXPENSES, MUCH LESS REMODELING OR NEW CONSTRUCTION. I CITED TELEPHONES AND LIGHTING AS ADDITIONAL EXPENSES PROBABLY NEEDED.

6. AS NEWCOMER TO NIGERIA AND TO THIS PROBLEM, I SAID I DID NOT WISH REHEARSE THE HISTORY OF EMBASSY-FMG DIALOGUE ON THIS QUESTION PRIOR TO MY ARRIVAL. NONETHELESS, I SAID I DID NOT BELIEVE EMBASSY HAD RECEIVED ANY WRITTEN INSTRUCTION ON THIS MATTER PRIOR TO APRIL THIS YEAR, WHEN WORKS AND HOUSING INFORMED US FMG HAD "REQUISITIONED" THE BUILDING. EVEN THEN NOTHING HAVE COME TO US THROUGH MEA CHANNELS. DCM DESCRIBED NUMEROUS ACTIONS WE HAD TAKEN IN THE PAST TO GIVE UP OTHER PROPERTIES AT FMG REQUEST AND SAID HE HOPED THIS RECORD OF "REASONABLENESS" WOULD BE MATCHED BY SIMILAR ATTITUDES NOW FROM FMG. OBASANJO CLAIMED FMG HAD BEEN REASONABLE AND UNDERSTANDING TO THE LIMIT OF ITS PATIENCE; HE DID NOT TERM EMBASSY'S POSITION REASONABLE. DCM POINTED OUT HOST GOVERNMENT'S RESPONSIBILITY TO PROTECT PROPERTY OF DIPLOMATIC MISSIONS FROM REQUISITION AND ASSERTED EMBASSY WAS BEING NOTABLY REASONABLE IN AGREEING TO THE PRINCIPLE OF MOVING FROM MOLONEY ANNEX DESPITE EXISTENCE OF VALID LEASE. SAGAY DENIED APPLICABILITY OF CONVENTION IN CASE OF RENTED QUARTERS AS OPPOSED TO OWNED PROPERTY. I ASKED OBASANJO DIRECTLY WHETHER FMG COULD ASSIST US IN PAYING NECESSARY EXPENSES OF MOVING AND REINSTALLING. HIS REPLY WAS A FLAT NEGATIVE, BUT HE SEEMED CONFIDENTIAL

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PREPARED CONSIDER OUR TENANCY IN NEW BUILDING ON RENT-FREE BASIS UNTIL TERMINATION OF EMBASSY ANNEX LEASE. HE SAID QUESTION OF POSSIBLE REIMBURSEMENT FOR EIGHTEEN MONTHS OF PREPAID LEASE WOULD HAVE TO BE HANDLED DIRECTLY BY EMBASSY WITH ERSTWHILE LANDLORD. (COMMENT: WE ESTIMATE THIS AMOUNT AT ROUGHLY QUARTER MILLION DOLLARS.)

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FBO-02 A-01 SSO-00 CIAE-00 INR-07 NSAE-00 INRE-00 L-03

PC-01 SS-15 NSC-05 NSCE-00 SP-02 VO-03 SCA-01 /057 W

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O 151211Z JUN 75 ZFF-4

FM AMEMBASSY LAGOS

TO SECSTATE WASHDC NIACT IMMEDIATE 9748

C O N F I D E N T I A L SECTION 2 OF 2 LAGOS 5582

PASS USIS, AID, FAA, FAS

7. WE REMINDED OBASANJO THAT FOUR OTHER AGENCIES OF US GOVERNMENT (FAA, FAS, AID AND USIA) ARE INVOLVED IN THIS MATTER AND THAT WE MUST BE IN POSITION EXPLAIN CLEARLY TO THIER WASHINGTON HEAD-QUARTERS PRECISE EXTENT TO WHICH PROPOSED MOVE WILL COMPLICATE THE ACCOMPLISHMENT OF THIER ASSIGNED MISSIONS HERE AND AMOUNT THAT SUCH A MOVE WILL COST. WE COULD NOT DO THIS WITHOUT CAREFUL EXAMINATION OF NEW SPACE, PERMISSION FOR WHICH WE HAD REQUESTED BUT NOT YET RECEIVED FROM MEA.

8. MEA REPRESENTATIVE SAGAY AGREED ARRANGE FOR OUR INSPECTION OF PROPERTY AT 2:00 P.M. MONDAY, JUNE 16. WE AGREED MEET TOGETHER AGAIN WEDNESDAY MORNING JUNE 18, AT WHICH TIME OBASANJO SAID HE WOULD EXPECT US TO TELL HIM PRECISELY WHEN PRESENT QUARTERS WILL BE EMPTY. (COMMENT: WHEN I TOLD HIM I WOULD BE ON OFFICIAL VISIT IN NORTH THROUGHOUT THE WEEK AND THEREFORE UNABLE ATTEND THIS MEETING, HE SAID HE DOUBTED HE COULD ATTEND IT EITHER BUT WOULD NONETHELESS INSIST ON OUR PROGRESS REPORT TO HIS STAFF AT THAT TIME AS AGREED.)

9. COMMENT: FMG CLEARLY TRYING TAKE ADVANTAGE OF MY RECENT ARRIVAL AND MY NATURAL DESIRE NOT START OFF ON A BAD WICKET. EVEN WITH ALLOWANCES MADE, HOWEVER, FOR A CERTAIN AMOUNT OF POSTURING ON OBASANJO'S PART FOR THE BENEFIT OF MEA STAFFERS AND MYSELF, NO QUESTION IN OUR MIDS THAT FMG IS DEAD SERIOUS
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IN THEIR DESIRE THAT WE MOVE OUT AND QUICKLY. THERE IS NO REPEAT NO DENYING THAT OFFICE SPACE IS AT A PREMIUM IN THIS INCREASINGLY CLOGGED AND FRUSTRATING CITY. FMG IS UNDER

INCREASING PRESSURE FROM CIVIL SERVICE TO PROVIDE ADEQUATE PHYSICAL FACILITIES TO ASSIST IT COPE WITH NEW PRESSURES AND RESPONSIBILITIES. EMBASSY ANNEX IS IN IDEAL LOCATION FROM FMG POINT OF VIEW, IN HEART OF SECTION OF LAGOS ISLAND THAT IT WISHES CONSOLIDATE AS CENTER OF FMG BUREAUCRACY.

10. VIRTUALLY NO FLEXIBILITY WAS SHOWN BY BRIGADIER OBASANJO. HE WAS GRUDGING AND NONCOMMITTAL WHEN I ASKED HIM TO BACK OFF FROM ORIGINAL REQUIREMENT THAT MISSION VACATE WITHIN ONE WEEK. THERE WAS DEFINITE IMPLICATION THROUGHOUT OUR CONVERSATION, AS WELL AS FROM IYALLA JUNE 10, THAT FMG BELIEVES EMBASSY HAS BEEN PURPOSELY PROCRASTINATING FOR TWO YEARS IN THE FACE OF CLEARLY EXPRESSED FMG DESIRE THAT BUILDING BE VACATED. (SEE LAGOS 9856 DECEMBER 11, 1973 FOR DISCUSSION OF MEA'S "OFFICIAL COMMUNICATION" EIGHTEEN MONTHS AGO ON THIS QUESTION.

11. JUST HOW FAR FMG IS WILLING TO GO IS NOT CLEAR. THE FLAT NEGATIVE POSITION TAKEN WITH RESPECT TO FMG FINANCING ANY OF THE COSTS INVOLVED IS SOMEWHAT AT VARIANCE WITH MEA DEPUTY PERMSEC DOVE-EDWIN'S STATEMENT TO DCM MAY 23 THAT THIS WAS SOMETHING THAT COULD BE DISCUSSED. ALSO, OBASANJO'S POSITION ON TIMING WAS AT VARIANCE WITH DOVE-EDWIN'S STATEMENT THAT WE WOULD BE FREE TO CONSTRUCT WHAT ADDITIONAL BUILDINGS WERE FOUND NECESSARY ON OKOTIE EBOH PROPERTY. CONSTRUCTION WOULD OBVIOUSLY TAKE MUCH MORE TIME THAN OBASANJO WAS PREPARED TO CONTEND.

12. PROBLEM NOW IS HOW TO PROCEED. WE BELIEVE WE MUST BE AS RESPONSIVE AS POSSIBLY, COMPATIBLE WITH THE CONTINUED OPERATION OF VARIOUS MISSION ELEMENTS IN EXECUTION OF THEIR ASSIGNED RESPONSIBILITIES. OUR OPTIONS OF COURSE DEPEND IN SIGNIFICANT DEGREE ON WHAT OUR INSPECTION OF PROPOSED NEW SPACE PRODUCES. UNLESS DEPARTMENT INSTRUCTS OTHERWISE, WE PROPOSE:

- A. INSPECT OKOTIE EBOH PROPERTY JUNE 16.
 - B. SEND NOTE TO MEA, GIVING OUR ASSESSMENT OF ADEQUACY OF PREFERRED QUARTERS; STRESSING FMG'S LEGAL OBLIGATION TO PROTECT EMBASSY PROPERTY AND INTERESTS; POINTING OUT AS MAY BE APPROPRIATE PHYSICAL PROBLEMS AND PROBLEMS OF TIMING OF ANY MOVE AND UNAVAILABILITY OF FUNDS TO COVER COST OF RENOVATION AND
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MOVING; AND INSISTING THAT MEA GIVE WRITTEN REPLY TO THIS AND OUR EARLIER NOTES ON THE MATTER. C. DCM WILL ATTEND JUNE 18 MEETING, TAKING POSITION OUTLINED IN ABOVE NOTE AND POINTING OUT INABILITY GIVE DEFINITIVE RESPONSE WITHOUT AUTHORIZATION OF HEADQUARTERS INTERESTED AGENCIES IN WASHINGTON.

13. WOULD APPRECIATE DEPARTMENT AND WASHINGTON AGENCIES ADVICE AND GUIDANCE, ESPECIALLY DEGREE TO WHICH VIENNA CONVENTION APPLICABLE TO PRESENT CIRCUMSTANCES. WE WOULD FIND EVEN PARTIAL

RESPONSE PRIOR TO OUR WEDNESDAY MEETING EXTREMELY HELPFUL
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